

OFFICE OF SOIL AND WATER CONSERVATION  
STATE SOIL AND WATER CONSERVATION COMMISSION

APRIL 28, 2009  
10:00 AM

LSU AG CENTER AUDITORIUM  
157 CHEROKEE DRIVE, SUITE C  
CROWLEY, LA 70526

PROCEEDINGS/MINUTES

**CALL TO ORDER**

The regular monthly Commission meeting was called to order by Chairman Guillory at 10:00 A.M.

**ROLL CALL**

The roll was called by Brad Spicer.

Members present: Chairman George Guillory, Ernest Girouard, Ed Yerger, Garland Colvin, John Compton, and Randell Fletcher

Members absent: None

A quorum was present.

Others present: Kevin Norton, NRCS; Steve Cruse, NRCS; Dwight Landreneau, LSU; Brad Spicer, LDAF; Joey Breaux, LDAF

**APPROVAL OF THE MINUTES**

Chairman Guillory called for a motion to approve the minutes of the March 24, 2009, State Commission meeting.

**Motion:** Mr. Fletcher made a motion to approve the minutes from the March 24, 2009 Commission meeting. The motion was seconded by Mr. Colvin and passed unanimously.

**UNFINISHED BUSINESS**

Chairman Guillory said they would next take up Unfinished Business and requested Mr. Spicer to report on the items listed on the agenda.

**Farm Bill Implementation Report**

Mr. Spicer said that the new Farm Bill Cooperative Agreement has been signed by LDAF Commissioner Dr. Mike Strain and NRCS State Conservationist Mr. Kevin Norton. He said the effective date of the agreement is April 1, 2009 and ends March 31, 2010. Mr. Spicer said that the new agreement provides \$247,100 for the districts, which is the same amount provided in last year's initial agreement. He said, as with past agreements, Mr. Norton said that he will be looking for opportunities to increase the level of funding in the agreement. Mr. Spicer said that they are in the process of closing out last year's Farm Bill agreement and reporting system. He said that all funds in the last Farm Bill agreement have been earned and that most of the districts with the heaviest Farm Bill workloads had earned all their funds several months ago.

**Annual Election of District Supervisors**

Chairman Guillory said that to date only fourteen nominating petitions have been received by the State Office for the supervisors election. Mr. Spicer said that it appeared there will be elections in Vermilion and Lafourche-Terrebonne SWCDs. Dr. Girouard said that they have three candidates that qualified for the election in the Vermilion district.

Mr. Spicer said that he will work with Dr. Girouard in providing guidance to the districts to ensure that they are prepared for the election in regards to selecting polling locations and polling commissioners and that proper public announcements are made prior to the election.

Mr. Spicer said the DeSoto SWCD board of supervisors is requesting the State Commission to waive the attendance requirement for Mr. Joel Register, whose elected position term expires June 30, 2009. He said that the DeSoto board stated that Mr. Register's absences were caused by extenuating circumstances relating to his poultry operations and that in the future he will be able to attend board meetings on a regular basis.

Chairman Guillory asked the Commission if they wanted to take action on the waiver request.

**Motion:** Mr. Colvin made a motion to waive the attendance requirement for Mr. Joel Register, elected position, DeSoto SWCD. The motion was seconded by Mr. Compton and passed unanimously.

#### NACD South Central Regional Meeting

Mr. Spicer said the NACD South Central Regional meeting is scheduled for August 12 through August 14, 2009 at the Crown Plaza in Baton Rouge, Louisiana. He said they plan to hold a meeting to outline the meeting format and to identify possible speakers and meeting activities. Mr. Dwight Landreneau said that he recommended that the 4-H youth group be on the program or to participate in post exhibit. Mr. Spicer said that he would make sure that the program planning group was made aware that the 4-H group would be interested in participating in the NACD regional meeting.

#### NEW BUSINESS

##### NRCS State Conservationist Report

Chairman Guillory asked Mr. Norton to give the NRCS State Conservationist Report. Mr. Norton handed out printed copies of his report and said that USDA Secretary Vilsack has recently announced Louisiana will receive \$4,470,000 through the 2009 American Recovery and Reinvestment Act (ARRA) of 2009. Mr. Norton said these ARRA funds will be used in the Red Bayou watershed in northwest Louisiana, and in the Bayou Duralde-Lower Nezpique in southwest Louisiana to enhance vegetative cover, wildlife habitat, irrigation efficiency, water conservation, stream corridors, and the installation of filter strips and soil erosion control practices. He said this is part of the Obama administration's plans to modernize infrastructure and stimulate the economy, and that NRCS Recovery Act programs provide the greatest public and environmental benefits through floodplain easements and watershed infrastructure. Mr. Norton said that the Red Bayou Project is expected to reduce the sediment load of the Bayou and its tributaries by up to 6,200 tons per year. He said that plans for the Bayou Duralde-Lower Nezpique will treat over 33,000 acres of critically eroding cropland through installation of over 1,400 grade stabilization structures, 60 filter strips, 32 miles of irrigation pipeline and 21,250 acres of irrigation land leveling in the three Parish area. He said this will save 36,600 acre/feet of water annually, thereby reducing local groundwater demand by 19%. He said that wildlife habitat will also be improved on 14,800 acres of bottomland hardwoods.

Mr. Norton mentioned various partnership accomplishments over the past month from around the state including a pasture management workshop in Caldwell Parish, a Red River SWCD sponsored Locally Led meeting, a native plant workshop in Carencro, a Trailblazer RC & D sponsored underserved forest landowner workshop in Ruston, and the Louisiana Earth Day celebration in Baton Rouge.

Mr. Norton said that the NRCS budget for the balance of the current Fiscal Year should be received in his office by Wednesday. He said that in the most favorable outcome he may be able to fill several vacancies, but he will know more by the Commission's next meeting. He said

that although the program rules have not been released, the conservation title of the new farm bill seems to be in good shape, but with a possibility that watershed program funds may be lessened. He said that the status of the commodity title is still uncertain.

Mr. Norton ended his report by reminding the group that the State Technical Advisory Committee will meet tomorrow, April 29, 2009 at the Lafayette NRCS Area II Office.

Mr. Norton said this concluded his report.

#### Correspondence

Chairman Guillory said the next agenda item is Correspondence and asked Mr. Spicer to review the correspondence. Mr. Spicer said the first item is a letter from Mr. Joe Tupper, Chairman of the Jefferson Davis SWCD requesting financial assistance for the district. He said Mr. Tupper stated that the district is to the point that it will not be able to provide the quality of services to their cooperators and possibly lose valued employees without additional funds. Chairman Guillory said his district is facing the same problems as are many districts across the state. Chairman Guillory said the State Commission does not have a solution to the districts' funding problems. Mr. Spicer said that the Jefferson Davis SWCD has a 319 BMP project, but at this time there are no funds remaining in the project to pay additional technicians salary. Mr. Spicer said he will continue to work on getting funding, but that up to this point he has not had any success.

Mr. Spicer said the next item is a letter from NRCS State Conservationist, Mr. Kevin Norton, requesting the OSWC's support for the NRCS's proposal to implement a Cooperative Conservation Partnership Initiative (CCPI) in Louisiana. Mr. Spicer said in response to Mr. Norton's letter they have proposed two projects, one is located in northeast Louisiana and the other is in the southwestern part of the state. He said the intent of CCPI is for the NRCS to leverage funding and services in natural resource conservation with non-federal partners. Mr. Spicer said, if successful, the projects will result in significant conservation resources being applied in the two project areas. Mr. Spicer said the program enables the NRCS to provide funds and technical assistance to owners and operators of agricultural and nonindustrial private forest lands. He said funds will be made available out of the EQIP and WHIP.

Mr. Spicer said the next item is for the Commission members' information showing the content of the Vermilion SWCD website. Dr. Girouard said he was surprised at the number of individuals that have visited the website.

Mr. Spicer said that the next item is included to provide the Commission members information on the Oklahoma Association of Conservation District's efforts to evaluate the economic impact of applying conservation measures. Mr. Norton said that he had his staff working on preparing similar economic information for Louisiana. He said that he would like to have the LSU Ag Center participate in their efforts. Mr. Landreneau said that he would be glad to get the extension economist to work with the NRCS to identify the economic benefits acquired from applying conservation practices in Louisiana.

Mr. Spicer said the next item is a letter he received in regards to the Madison SWCD hiring an immediate relative of one of the district board members. He said that the State Conservationist, Mr. Norton, also received a copy of the same letter. Mr. Norton said that upon determining that the employee referenced in the letter did not work for the NRCS he forwarded his copy to the OSWC. Mr. Spicer said after receiving the letter he spoke to Mr. Yerger, Chairman of the Madison SWCD, about the letter. Mr. Spicer said he advised Mr. Yerger to review the situation with the district board to ensure that they were operating within State law and State Commission Policy. Mr. Spicer said he was later informed by Mr. Yerger that the employee was a niece of a board member and therefore, not an immediate family member. Mr. Spicer said that he agreed that the niece lives in a separate household from the board member and does not fit the State's

or the State Commission's definition of immediate family member. Mr. Yerger said he wished that the individual that sent the letter would have talked to the district board about his concerns rather than writing an anonymous letter to the NRCS and OSWC. Chairman Guillory said he agreed that working directly with the district board would have been the appropriate way to deal with the issue.

Mr. Spicer said the next item is an email from NACD, Ms. Lisa Lerwick dated April 2, 2009 stating that President Barack Obama announced his intent to nominate NACD Chief Executive Officer Ms. Krysta Harden as USDA's Assistant Secretary for Congressional Relations. Ms. Lerwick stated that Ms. Harden's passion for conservation and public policy has well served NACD and the conservation districts over the past five years. Ms. Lerwick said that under her leadership, NACD has grown in many ways. Ms. Lerwick said that Ms. Harden will continue to lead NACD in the coming weeks until the Senate holds a confirmation hearing and NACD is confident that Ms. Harden in her new role will continue to be a champion for conservation because of her sincere love for the land.

Mr. Spicer said the final item concerns Section 1619 of the Food, Conservation and Energy Act of 2008 (2008 Farm Bill). He said he is providing Commission members copies of a packet of material that provides background information and an explanation of Section 1619 as well as a draft letter that each district board will be receiving in the near future that explains how the NRCS will share cooperators information protected under section 1619 with the district board of supervisors through a Memorandum of Understanding (MOU).

Chairman Guillory said that concluded correspondence and they would take up Supervisors Resignations and Appointments.

#### Resignation/Appointments and Reappointments

Chairman Guillory asked Mr. Spicer to report on the resignations and appointments. Mr. Spicer reported on the resignations of the following supervisors: Mr. Shannon Daboval, elected position, Jefferson Davis SWCD; and Mr. Curry Albert, elected position, St. Martin SWCD.

**Motion:** Dr. Girouard made a motion to accept the resignations of supervisors Mr. Shannon Daboval, elected position, Jefferson Davis SWCD; and Mr. Curry Albert, elected position, St. Martin SWCD. The motion was seconded by Mr. Fletcher and passed unanimously.

Mr. Spicer said the respective conservation districts are requesting the State Commission to appoint the following supervisors to a new term in office:

East Carroll SWCD, Mr. Larry Sanderson to fill unexpired elected position of Mr. J. Paul Brown. Term will begin April 28, 2009 and will expire on June 30, 2010.

Jefferson Davis SWCD, Mr. David "Dean" Lavergne to fill unexpired elected position of Mr. Shannon Daboval. Term will begin April 28, 2009 and will expire on June 30, 2009.

St. Martin SWCD, Mr. Curry Albert to fill expired appointed position of Mr. Pedro Angelle. Term will begin April 28, 2009 and will expire on March 26, 2012.

**Motion:** Mr. Colvin made a motion to approve the appointments of supervisors Mr. Larry Sanderson, elected position, East Carroll SWCD; Mr. David "Dean" Lavergne, elected position, Jefferson Davis SWCD; and Mr. Curry Albert, appointed position, St. Martin SWCD. The motion was seconded by Mr. Compton and passed unanimously.

#### Ethics Board – Personal Financial Disclosure

Mr. Spicer said he sent an email to all the districts and presented information to the State Commission on the new State Ethics Personal Financial Disclosure law shortly after it was

signed into law in 2008. He said last week he also provided additional information and financial disclosure reporting forms to the districts. He said he can not advise district board members on how the new financial disclosure laws affect them except that if they are required to file a financial disclosure report, it must be completed prior to May 15, 2009. He said if you or your spouse are not receiving any form of payments from state and local units of government nor have an interest of ten-percent or more in a business entity that is doing business with the state, it will take only a few minutes to complete the report. Mr. Spicer said if you are required to submit a financial disclosure to the Ethics Board and do not, it could result in a fine of \$50 per day. Mr. Spicer said if he were a district board member he would not take a chance and would file the financial disclosure statement before the May 15, 2009 deadline. Mr. Spicer said he is a member of several state boards and he is required to file a financial disclosure report. He said it is his understanding based on his situation that the State Soil and Water Conservation Commission members are required to file a financial disclosure report. He said anyone that wants guidance concerning the new ethics law and reporting requirements should contact the Louisiana Board of Ethics.

#### House Bill 743

Mr. Spicer said that each Commission member has a copy of HB 743 by Representative Andy Anders. He said that the bill establishes a state task force to prepare a report for the 2011 Regular Legislative Session on a comprehensive surface water use management plan. He said he will keep the Commission and districts informed of the progress on HB 743 and other legislative issues important to the conservation districts. Mr. Spicer said other legislative items that he will be following are the HB1, OSWC/conservation district state funding, HB 158 by Representative Anders that addresses issues relative to drilling drought relief wells and HB 2, Capital Outlay which should include \$3.7 million to fund the restoration or repair of thirty-five watershed dams built in the fifties and sixties by the Soil Conservation Services and where in most cases, the conservation districts were the local sponsors.

#### **OTHER BUSINESS**

Chairman Guillory asked if there was any other business to come before the Commission and there was none.

#### **NEXT MEETING**

Chairman Guillory said the next Commission Meeting is scheduled for 1:15 PM on Tuesday, June 23, in the Veterans Memorial Auditorium, 5825 Florida Boulevard, Baton Rouge, Louisiana.

#### **PUBLIC COMMENTS**

Chairman Guillory asked if there was any other business or comments. None replied.

#### **ADJOURNMENT**

Chairman Guillory said if there was no other business that he will accept a motion to adjourn.

**Motion:** Mr. Yerger made a motion to adjourn at 11:45 A.M. The motion was seconded by Mr. Fletcher and passed unanimously.

/s/ George Guillory  
George Guillory, Chairman